Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

By this amendment, claims 1-4, 7-10, 12, 13, 16-26, 29 and 30 remain pending, claims 1, 2, 7, 12, 13, 16, 18, 22, 26, 29 and 30 having been amended, and claims 5, 6, 11, 14, 15 and 27 having been newly canceled without prejudice or disclaimer.

Rejection of Claims 1-4

On page 3 of the Office Action of May 24, 2005, the Examiner rejected claims 1-4 under 35 U.S.C. 103(a) as allegedly being unpatentable over IEEE TRICOMM 91 ("Edwards") in view of published U.S. Patent Application 2001/0050681 to Keys et al. ("Keys") in view of published U.S. Patent Application 2002/0007276 to Rosenblatt et al. ("Rosenblatt") and further in view of U.S. Patent No. 6,232,966 to Kurlander. Applicants respectfully traverse the rejection. Claims 1 and 2 were amended only to correct errors in the claims.

Independent claim 1 is directed to a method of customizing a multi-media message created by a sender for a recipient, where the multi-media message has an animated entity audibly presenting speech converted from text created by the sender. The method includes, among other things, presenting the sender with options to insert a tag associated with one of at least one image into the sender text.

On page 3 of the Office Action of May 24, 2005, the Examiner stated that Edwards, at page 52, second col., 4th full paragraph, discloses presenting the sender with options to insert a tag associated with an image into the sender text Applicants disagree.

Edwards, page 52, second col., 4th full paragraph, discloses:

Media types are identified to Montage by *tags* which are associated with each chapter via the table of contents. Montage does not predefine any tags and

9

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

indeed does not even associate any meaning with tags. Tags are defined by
the users of the system. When a chapter is encountered the catalog of tags is
searched and the user-specified handler (which may be an external program)
is invoked on the chapter. The mappings from tags to handlers may be
completely specified by users in a per-user database (with "sensible" defaults
provided in a system-wide database).

Thus, Edwards discloses that the tags are associated with chapters via the table of

contents. The table of contents specifies the relations between the chapters (see Edwards, at

page 52, first col., 7th full paragraph). That is, Edwards discloses that the tags are in the

table of contents, not within the sender text. Therefore, Edwards fails to disclose presenting

the sender with options to insert the tag associated with one of the at least one image into the

sender text, as required by claims 1 and dependent claims 2-4. Keys, Rosenblatt and

Kurlander also fail to satisfy the deficiencies of Edwards.

Claim 1 further includes, among other things, that delivering the multi-media

message further comprises presenting the one of the at least one image as background when a

word prior to the position of the tag associated with the one of the at least one image is

presented by the animated entity. On page 4 of the Office Action, the Examiner admitted

that the combined teachings of Edwards, Keys and Rosenblatt do not disclose or suggest this

feature. The Examiner relied on Kurlander, at col. 8, lines 32-59 to disclose this feature.

Applicants disagree with the Examiner.

Kurlander, at col. 8, lines 32-59, discloses:

FIG. 6 is a flowchart illustrating the steps performed to generate a comic
panel. First, the CG system places a background in a comic panel (step 602).
The CG system has a set of bitmaps to use as backgrounds, and the CG system
selects a particular background for the session, such as the inside of a house.
When a comic server is available, the comic server can select a background.
Additionally, the CG system modifies the comic panel based on the text
received from users. In particular, the CG system searches the text for
predefined trigger words, such as the names of states, and modifies the comic
panel to reflect the semantics of the words (i.e., their contextual meanings).
The modifications can include changing the background, adding an element,
or adding a character to the comic panel. These modifications are called
semantic elements. The CG system can typically modify the comic panel in
several ways for each trigger word. To provide variety in the display of the

10

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

comic panels, the CG system cycles through the possible modifications as the same trigger word is encountered multiple times. FIG. 7 illustrates three comic panels that show different types of semantic elements. In particular, in each of the three comic panels, the male character states that he is from Ohio, and the word "Ohio" is a predefined trigger word. In comic panel 700, the CG system modifies the background 702 to show a map of Ohio. In comic panel 710, the CG system modifies the comic panel to include a "Go Browns" banner 712. In comic panel 720, the CG system modifies the comic panel to include an additional character 722 who is asking a riddle.

Thus, Kurlander discloses generating a comic panel. When text is received from a user, the system searches the text for predefined trigger words, such as, for example, names of states, and modifies a background of the comic panel based on semantics of the trigger word. Thus, Kurlander discloses that as long as a predefined trigger word is located anywhere within the text from a user, which is to be displayed in a comic panel, the background of the panel is modified. The actual modification of the background of the panel has nothing to do with any particular position of a trigger word in the comic panel. The trigger word need only be present in the comic panel. Applicants submit that this is not the equivalent of presenting the one of the at least one image as background when a word prior to the position of the tag associated with the one of the at least one image is presented by the animated entity, as required by claim 1 and as similarly required by claim 2.

For at least the above reasons, Applicants submit that claims 1 and dependent claims 2-4 are patentable over Edwards, Keys, Rosenblatt and Kurlander and respectfully request that the rejection of claim 1 and dependent claims 2-4 be withdrawn.

Rejection of Claim 5

On page 5 of the Office Action, the Examiner rejected claim 5 under 35 U.S.C. 103(a) as allegedly being unpatentable over Edwards in view of Keys and further in view of Rosenblatt. Applicants canceled claim 5 without prejudice or disclaimer, thereby making the rejection moot. Applicants respectfully request that the rejection of claim 5 be withdrawn.

11

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

Rejection of Claim 6

On pages 6 and 7 of the Office Action, the Examiner rejected claim 6 under 35 U.S.C.

103 (a) as allegedly being unpatentable over Edwards in view of Keys and Rosenblatt and

further in view U.S. Patent No. 6,542,936 to Mayle et al. ("Mayle"). Applicants canceled

claim 6 without prejudice or disclaimer, thereby making the rejection moot. Applicants

respectfully request that the rejection of claim 6 be withdrawn.

Rejection of Claims 7-10

On page 7 of the Office Action, the Examiner rejected claims 7-10 under 35 U.S.C.

103(a) as allegedly being unpatentable over Edwards, Rosenblatt and Mayle and further in

view of Kurlander. Applicants respectfully traverse the rejection.

Independent claim 7 recites features similar to those previously discussed with

respect to claim 1. Therefore, Applicants submit that claim 7 is patentable over Edwards,

Keys, Rosenblatt and Kurlander for reasons similar to those discussed with respect to claim

1. Further, Mayle fails to satisfy the deficiencies of Edwards, Keys, Rosenblatt and

Kurlander.

For at least the reasons discussed above, Applicants submit that claim 7 and

dependent claims 8-10 are patentable over Edwards, Keys, Rosenblatt, Mayle and Kurlander

and respectfully request that the rejection of claims 7-10 be withdrawn.

Rejection of Claims 11-14

On page 9 of the Office Action, the Examiner rejected claims 11-14 under 35 U.S.C.

103(a) as allegedly being unpatentable over Rosenblatt, Edwards and Keys. Applicants

canceled claims 11 and 14 without prejudice or disclaimer, amended claim 13 to be in

independent form including all of the features of claim 11, and amended claim 12 to depend

from claim 13. Applicants traverse the rejection with respect to claim 13. Due to the

12

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

cancellation of claims 11 and 14, Applicants submit that the rejection of these claims is moot.

Therefore, Applicants respectfully request that the rejection of claims 11 and 14 be

withdrawn.

Claim 13 is directed to a method of customizing a multi-media message created by a

sender for a recipient, where the multi-media message has an animated entity audibly

presenting speech converted from text created by the sender. The method includes, among

other things, presenting the sender with an option to remove the animated entity from a

display screen using an animated entity remove tag.

On page 12 of the Office Action, the Examiner asserted that Rosenblatt, at paragraph

[0033], discloses presenting the sender with an option to remove the animated entity from a

display screen using an animated entity remove tag. Applicants disagree.

Rosenblatt, at paragraph [0033], discloses:

> One particular embodiment of the professional authoring tool is provided with
> a graphical user interface (not illustrated) including windows where virtual
> representatives appear and pop-up windows for specifying emotions, speech
> rate, head rotations and movements, mouth postures and other facial
> contortions. A time-line is provided with graphical representations of where
> emotion cues start and stop, and a graphical editor to delete, move or cut, and
> paste part of a series of responses or "a performance." In a further
> embodiment of the professional authoring tool a video-camera is used to
> capture in real-time facial features that are subsequently mapped to the virtual
> representative's face for controlling its emotions and expressions. In yet
> another embodiment an MPEG4 facial animation stream is used and re-
> mapped to animate the virtual representative's face.

Thus, Rosenblatt discloses a graphical editor to edit part of a series of responses or a

performance. However, Rosenblatt is completely silent regarding an animated entity remove

tag or presenting the sender with an option to remove the animated entity from a display

screen using an animated entity remove tag, as required by claim 13 and dependent claim 12.

Applicants further submit that Edwards, and Keys fail to satisfy the deficiencies of

Rosenblatt and that no combination of Rosenblatt, Edwards and Keys discloses or suggests

presenting the sender with an option to remove the animated entity from a display screen

13

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

using an animated entity remove tag, as required by claim 13 and dependent claim 12.

Therefore, Applicants respectfully request that the rejection of claim 13 and dependent claim

12 be withdrawn.

Rejection of Claim 15

On page 12 of the Office Action, the Examiner rejected claim 15 under 25 U.S.C.

103(a) as allegedly being unpatentable over Rosenblatt in view of Edwards, Keys and Mayle.

Applicants canceled claim 15 without prejudice or disclaimer thereby making the rejection

moot. Applicants respectfully request that the rejection of claim 15 be withdrawn.

Rejection of Claims 16-21 and 23

On page 13 of the Office Action, the Examiner rejected claims 16-21 and 23 under 35

U.S.C. 103(a) as allegedly being unpatentable over published U.S. Patent Application

2003/0191816 to Landress et al. ("Landress") in view of Rosenblatt and further in view of

U.S. Patent No. 5,745,360 to Leone et al. ("Leone"). Applicants submit that amended claim

16 obviates the rejection.

Claim 16 is directed to a method of sending a multi-media message from a sender to a

recipient, where the multi-media message includes an animated entity for delivering a

message having text. The method includes, among other things, presenting the sender with

an option to modify a camera position using camera control tags within the text, wherein the

option to modify the camera position includes one of move up, move down, move left, or

move right.

On page 14 of the Office Action, the Examiner admitted that the combined teachings

of Landress and Rosenblatt do not disclose presenting the sender with an option to modify a

camera position using control tags within the text. The Examiner relied on Leone, at col. 15,

line 56 through col. 16, line 9, to disclose this feature. However, Applicants submit that

14

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

Leone does not disclose or suggest that the option to modify the camera position includes one

of move up, move down, move left, or move right, as required by claim 16.

Leone, at col. 15, line 56 through col. 16, line 9, discloses:

Go to box-94 to complete the tagging.
AB) Scenarios for non-HTML inline picture handling The HTML we are
building looks like:
 <img src="picture-1?mode=img"
alt="PICTURE 1" >
and is derived from the SELECT control and text records:
CSELECT 3 9 PIC1
PICTURE 1
Turning to FIG. 7B, inline picture handling is processed as follows:
Add the PICTURE keyword to the URL, box-86 (i.e. <a href="picture)
Add the picture number to the URL, box-87 (i.e. <a href="picture-1)
Add the Zoom keyword and ending brace to the URL, box-88 (i.e. <a
href="picture-1?mode=zoom">
Add the image tag with the picture number as the URL and the non-zoomed
mode keyword, box-89 (i.e. . . . <img src="picture-1?mode=img)

Thus, Leone discloses using zoom mode in a HyperText Markup Language (HTML)

document. However, Leone fails to disclose or suggest presenting the sender with an option

to modify a camera position using camera control tags within the text, wherein the option to

modify the camera position includes one of move up, move down, move left, or move right,

as required by claim 16. Applicants submit that Landress and Rosenblatt also fail to disclose

or suggest this feature. Therefore, the combination of Landress, Rosenblatt and Leone fails

to disclose or suggest, separately or in any combination, presenting the sender with an option

to modify a camera position using camera control tags within the text, wherein the option to

modify the camera position includes one of move up, move down, move left, or move right,

as required by claim 16. Applicants, therefore, respectfully request that the rejection of claim

16 be withdrawn.

Claims 17-21 and 23 depend from claim 16 and are patentable over Landress,

Rosenblatt and Leone for at least the reasons discussed with respect to claim 16. Therefore,

Applicants respectfully request that the rejection of claims 17-21 and 23 be withdrawn.

15

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

Rejection of Claim 22

On page 17 of the Office Action, the Examiner rejected claim 22 under 35 U.S.C.

103(a) as allegedly being unpatentable over Landress in view of Rosenblatt, Leone and

Kurlander. Applicants submit that the amendment to claim 16 obviates the rejection. Claim

22 was amended only to improve presentation.

Claim 22 depends from claim 16 as a base claim and is patentable over Landress,

Rosenblatt and Leone for at least the reasons discussed with respect to claim 16. Kurlander

fails to satisfy the deficiencies of Landress, Rosenblatt and Leone. Therefore, Applicants

respectfully request that the rejection of claim 22 be withdrawn.

Rejection of Claims 24-26

On page 18 of the Office Action, the Examiner rejected claims 24-26 under 35 U.S.C.

103(a) as allegedly being unpatentable over Landress, Rosenblatt, Leone and published U.S.

Patent Application 2001/0050689 to Park et al. ("Park"). Applicants submit that amended

claim 16 obviates the rejection.

Claims 24-26 depend from claim 16 as a base claim and are patentable over Landress,

Rosenblatt and Leone for at least the reasons discussed with respect to claim 16. Park fails to

satisfy the deficiencies of Landress, Rosenblatt and Leone. Therefore, Applicants submit

that claims 24-26 are patentable over Landress, Rosenblatt, Leone and Park and respectfully

request that the rejection of claims 24-26 be withdrawn.

Rejection of Claim 29

On page 21 of the Office Action, the Examiner rejected claim 29 under 35 U.S.C.

103(a) as allegedly being unpatentable over Rosenblatt in view of U.S. Patent No. 6,064,383

to Skelly and further in view of U.S. Patent 5,387,178 to Moses. Applicants traverse the

16

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

rejection. Claim 29 was amended to include the features of claim 27, from which it

depended, and was neither broadened nor narrowed in scope by the amendment.

Claim 29 is directed to a method of sending a multi-media message from a sender to a

recipient, wherein the multi-media message includes an animated entity for delivering a

message having text. The method includes, among other things, if the sender modifies the

amplitude of emoticons inserted in the text, changing a color associated with the modified

emoticons.

On page 22 of the Office Action, the Examiner admitted that the combined teachings

of Rosenblatt and Skelly fail to disclose changing a color associated with the modified

emoticons. The Examiner relied on Moses, at col. 3, lines 40-48, to disclose this feature.

Applicants disagree.

Moses relates to a chair for creating or providing a multisensory or multistimulatory

environment to a user (see Moses, at col. 1, lines 6-8). Moses has a U.S. classification of

600/27, which, according to the Manual of Patent classification, pertains to "[s]ubject matter

wherein the state of tranquility is produced upon the body by devices and techniques applied

to hearing, sight, smell, taste or touch." Rosenblatt relates to "[a] system and method for

enabling the use of photo-realistic, three-dimensional virtual representatives in a variety of

communications settings..." Rosenblatt has a U.S. . classification of 704/260, which,

according to the Manual of Patent classification, pertains to "[s]ubject matter wherein the

component parts are related to image data (e.g., text to speech, etc.)." Skelly relates to a user

interface, involving a computer system, wherein the user interface enables the user to select a

character appearance that corresponds with an emotional intensity (see Skelly, at col. 1, lines

7-10). Skelly has U.S. classifications of 345/339, 345/145 and 345/331. According to the

Manual of Patent classifications, class 345 pertains to computer graphic systems and

selective visual display systems.

17

Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

As shown above, Moses pertains to art that produces a state of tranquility upon the body by devices and techniques applied to the five senses, while Rosenblatt pertains to image data and converting text to speech, and Skelly pertains to computer graphic systems. Applicants submit that one of ordinary skill in the arts of computer graphics systems, image data, and the conversion of text to speech would not be expected to be familiar with art, such as that disclosed by Moses. Therefore, Applicants submit that Moses is non-analogous art with respect Rosenblatt and Skelly and one of ordinary skill in the arts relevant to the claimed invention would not be motivated to combine the references as suggested by the Examiner.

For at least the reasons discussed above, Applicants submit that claim 29 is patentable over Rosenblatt, Skelly and Moses and respectfully request that the rejection of claim 29 be withdrawn.

Rejection of Claims 27 and 30

On page 20 of the Office Action, the Examiner rejected claims 27 and 30 under 35 U.S.C. 103(a) as allegedly being unpatentable over Rosenblatt in view of Skelly. Applicants canceled claim 27 without prejudice or disclaimer, thereby making the rejection of this claim moot. Applicants, therefore, respectfully request that the rejection of claim 27 be withdrawn. Applicants submit that amended claim 30 obviates the rejection.

Claim 30 depends from claim 29, which is patentable over Rosenblatt and Skelly for at least the reasons discussed above with respect to claim 29. Further, as admitted by the Examiner on page 22 of the Office Action, the combined teachings of Rosenblatt and Skelly fail to disclose or suggest changing the appearance of a graphical character based on emotion, wherein the change of appearance involves a change of color.

18